

REMARKS

I. STATUS OF THE CLAIMS

Claims 1-3, 7, 8, 11, 14-16, and 19-25 are pending in this application. Applicants have amended Claims 1 and 15 to recite a skin lightening agent. Support for this amendment can be found throughout the specification, such as in paragraph [0048]. In view of the amendment and following discussion, the Applicants believe that all claims are in allowable form.

II. THE CLAIMED INVENTION IS PATENTABLE OVER THE CITED DOCUMENTS

The Examiner has rejected claims 1-3, 7, 8, 11, 14-16, 19 and 20 under 35 U. S. C. § 103 (a) as being unpatentable over US 6,550,474 to Anderson et al. (“Anderson”), claims 1-3, 7, 8, and 14 under 35 U. S. C. § 103 (a) as being unpatentable over US 3,686,701 to Charle et al. (“Charle”), and claims 1-3, 7, 8, 11, 14-16, 19 and 20 under 35 U. S. C. § 103 (a) as being unpatentable over US 6,270,783 to Slavtcheff et al (“Slavtcheff”) alone or in view of Anderson.

In reply, applicants respectfully submit that the claimed invention is patentable for all of the reasons previously presented and do not necessarily agree with any of Examiner’s arguments. Nevertheless, applicants note that in light of the amendments and remarks herein, the claims are clearly patentable over all of the cited documents.

In particular, applicants respectfully submit that none of the documents alone or in combination teach or suggest any product as claimed comprising microcapsules and skin lightening agents, nor any methods of applying such agents to skin as claimed. Applicants further note that none of the references provide any reasonable likelihood of success for achieving the significant enhanced benefits in skin lightening discovered and demonstrated by applicants to be associated with the claimed invention. Accordingly, the invention as claimed is patentable over all of the cited art. The rejections should be withdrawn and the claims allowed.

III. CONCLUSION

In light of the amendments and remarks herein, Applicants submit that all claims now pending are in condition for allowance. Accordingly, both reconsideration of this application and swift passage to issue are earnestly solicited. If the Examiner believes that any unresolved issues still exist, it is requested that the Examiner telephone Brett Freeman at 732-524-3428 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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